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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/715,290

11/17/2000

Wayne K. Pfaff

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5901

7590

08/13/2002

DENNIS GRIGGS  
GRIGGS AND JOHNSTON  
17950 PRESTON RD. SUITE 1000  
DALLAS, TX 75252

EXAMINER

NGUYEN, KHIEM M

ART UNIT

PAPER NUMBER

2839

11

DATE MAILED: 08/13/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/715290

Applicant(s)

PFAFF

ME

Examiner

KHIEM NGUYEN

Group Art Unit

2839

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

## Period for Response

A SHORTENED STATUTORY PERIOD FOR RESPONSE IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a response be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for response specified above is less than thirty (30) days, a response within the statutory minimum of thirty (30) days will be considered time.
- If NO period for response is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to respond within the set or extended period for response will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

## Status

- ☒ Responsive to communication(s) filed on 2/28/02
- ☒ This action is FINAL.
  - ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- ☒ Claim(s) 1-45 is/are pending in the application.
- Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- ☒ Claim(s) 1-22 is/are allowed.
- ☒ Claim(s) 23-45 is/are rejected.
- ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- ☐ Claim(s) \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
  - ☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been received.
  - ☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_
  - ☐ received in this national stage application from the International Bureau (PCT Rule 1.7.2(a)).

\*Certified copies not received: \_\_\_\_\_

## Attachment(s)

- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_
- ☐ Interview Summary, PTO-413
- ☐ Notice of References Cited, PTO-892
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Other \_\_\_\_\_

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*Reissue Applications*

1. The amendments filed with the reissue application are objected to under 35 U.S.C. 132 because it introduces new matter into the disclosure. 35 U.S.C. 132 states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows: A socket with a window for receiving and retaining a plurality of terminal balls of a BGA device, in which free end portions of contact fingers extend into a window (see amendments to col. 3 and col. 4).

2. Claims 23-45 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claims 23-45 to a socket with a window or a support opening for receiving and retaining a plurality of terminal balls of a BGA device, in which free end portions of contact fingers extend into a window introduce new matter and do not have support in the specification and drawings as originally filed.

3. Claims 23-45 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the

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art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

The embodiments to a BGA sockets disclosed with the original specification and drawings do not seem to set forth the invention as being recited in new reissue claims 23-45. All embodiments seem to relate to a socket having a plurality of windows for receiving a plurality of terminal balls.

4. Upon further consideration, the rejections of claims 1-45 under 35 U.S.C 112, second paragraph is hereby withdrawn. Original claims 1-22 are allowable over the prior art of record.

4. Applicant's arguments filed with the reissue amendment have been fully considered but they are not persuasive.

In response to Applicant's arguments that claims 23-45 define over the 35 U.S.C 112 first paragraph. It is submitted that since the subject matter of claims 23-45 is substantially similar to that of claims 23-44 filed in the parent reissue application 09/166,238 and Applicant's arguments to those claims are also similar, Applicant is hereby refer to the Examiner's Answer mailed to Applicant in response to the brief filed with that application.

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after

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the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Khiem Nguyen whose telephone number is (703) 308-1738.

If attempts to reach the examiner by phone are unsuccessful, the examiner's supervisor, Brian Sircus can be reached at 703-308-3119.

The fax phone number for this group is 703-305-3431.

K.N.

August 13, 2002

  
KHIEM NGUYEN  
PRIMARY EXAMINER